

**ORIGINAL**

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

**RECEIVED**

**JUN 23 1995**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Digital Data Transmission Within )  
the Video Portion of Television )  
Broadcast Station Transmissions )

MM Docket No. 95-42  
RM 7567

DOCKET FILE COPY ORIGINAL

**COMMENTS OF THE**  
**NATIONAL ASSOCIATION OF BROADCASTERS**

The National Association of Broadcasters ("NAB")<sup>1</sup> hereby submits these Comments in response to the Notice of Proposed Rule Making<sup>2</sup> ("Notice") in the above-captioned proceeding. The Notice seeks comment on various issues regarding digital data transmissions within the video portion of the television picture. NAB here addresses the establishment of standards for ancillary digital data transmission technology and the use of line 22 and higher for the transmission of non-video data.

**I. INTRODUCTION AND SUMMARY**

We applaud the Commission for encouraging use of digital data transmission technology by broadcast licensees. We urge the Commission to

---

<sup>1</sup> NAB is a nonprofit, incorporated association of radio and television stations and networks which serves and represents the American broadcast industry.

<sup>2</sup> Notice of Proposed Rule Making in MM Docket No. 95-42, 10 FCC Rcd. 4918 (May 2, 1995).

No. of Copies rec'd  
List ABCDE

8411

adopt industry standards for this technology. The National Data Broadcasting Committee (“NDBC”) was created for the purpose of developing such technical standards. We thus urge the Commission to allow the NDBC to complete its work before issuing a final decision in this matter. We also strongly believe that the broadcast licensee must retain complete control of its NTSC transmission, including ancillary data transmission.

Furthermore, NAB remains fundamentally opposed to systems directly encoding non-video material onto scan lines and replacing the pre-existing video information as is being done with line 22. However, to the extent that the Commission has allowed line 22 to be used for such transmissions, we are not opposed to the Commission issuing regulations in regard to use of this specific line. However, we also urge the Commission to guarantee that lines higher than line 22 will continue to be used to convey video information.

## **II. NAB SUPPORTS DATA BROADCASTING.**

NAB is a long-time proponent of ancillary transmissions within broadcast signals. In furtherance of this, NAB has actively encouraged broadcasters to embrace the applications of digital transmission technology in their transmissions of ancillary data services. We call this “data broadcasting.”

NAB believes strongly that the broadcasting of high-speed digital data-based information for use by both business and consumers is a service whose time has come. We believe there to be a considerable demand for the wireless and widespread dissemination of digital data, and we see a marketplace where data is

not only delivered to businesses for private use but to consumers as well. Data receivers will take many forms. While some may be built into TV receivers, other significant applications may include personal digital assistants, pagers, laptop computers, desk top computers and even wrist watches. NAB applauds the Commission for encouraging data broadcasting and supports its efforts to bring this important technology to the marketplace.

### **III. THE COMMISSION SHOULD ALLOW LICENSEES TO RETAIN CONTROL OVER ALL DATA TRANSMITTED.**

NAB strongly supports the Commission's current requirement that licensees retain ultimate control to reject, if needed, signals embedded within their broadcast signals. This retention of control by broadcast licensees is found throughout the Commission's rules.<sup>3</sup> NAB believes that this basic tenet should also apply to data broadcasting transmitted via "sub-video" and "overscan" technologies as defined in the Notice.<sup>4</sup> Airtrax requests that the Commission set standards that would "prohibit users of line 22 from 'overwriting' other users without authority."<sup>5</sup> This contradicts the basic tenet that licensees retain control

---

<sup>3</sup> See, e.g., 47 C.F.R. Section 73.646(d) (1994) (broadcast licensees must retain control over all material transmitted in the VBI in a broadcast mode via the stations facilities, with the right to reject any material that it deems inappropriate or undesirable). See also 47 C.F.R. Section 73.667(e) (1994) (broadcast licensees must retain control of TV subsidiary communication services). See also 47 C.F.R. 73.669(e) (1994) (broadcast licensees must retain control of TV Stereophonic aural and multiplex subcarrier operations).

<sup>4</sup> See note 2, supra at ¶ 28.

<sup>5</sup> Id. at ¶ 17.

over data transmissions. And we find nothing in Airtrax's request to warrant a change in this policy.

As long as a broadcaster is considered responsible for the content of ancillary or subsidiary communication services sent over the station's facilities, it is imperative that the licensees have the ability to delete the data being transmitted. We believe that the Commission should require that any acceptable data insertion method provide the option to block or strip out the data.

#### **IV. THE COMMISSION SHOULD WAIT FOR THE NATIONAL DATA BROADCASTING COMMITTEE TO COMPLETE ITS WORK.**

##### **A. The Commission Should Adopt Technical Standards.**

NAB believes that technical standards should be established for the transmission of ancillary digital data within the active video area that is intended for reception by the general public.<sup>6</sup> We believe this new technology has the potential to become a diverse and vibrant market, but such a market can flourish only in the presence of well developed technical standards. History has shown us time and again that standards provide the foundation for the deployment of new technologies and thus stimulate markets. One example is the Broadcast Television Systems Committee's Multichannel Television Sound standard for TV stereo ("BTSC MTS"). Today, over 40% of TV sets sold in the US are "stereo" TVs.

---

<sup>6</sup> NAB has no objection to the Commission allowing those systems that are closed (i.e. where the transmissions are for a proprietary business purpose or are intended only for specific subscribers) to begin operation immediately. In this case, we believe that a Commission adopted standard is less necessary assuming that interference and signal degradation issues have been addressed.

Furthermore, there are countless hours of programming with stereo audio that have been encoded using the BTSC MTS system. This type of marketplace success could not have been achieved without the existence and subsequent adoption of a technical standard by the Commission.

**B. The Standards Developed By the NDBC Should Be Adopted.**

Because NAB believes that technical standards are needed to foster the data broadcasting business, we created, along with the Electronic Industries Association (“EIA”)<sup>7</sup>, the National Data Broadcasting Committee. The NDBC is working to create industry standards for the high speed delivery of data via the NTSC television signal. While we have no objection to the Commission’s continuing to grant authorizations on an ad hoc basis to those licensees wishing to engage in data broadcasting, we believe strongly that the Commission should adopt standards for broadcasting that represent technologies that have been fully evaluated, documented, and sanctioned by the NDBC, the industry-led forum that was created expressly for this purpose.

In separate comments filed today, NAB together with EIA, submit the work to date of the NDBC into the record of this proceeding. We believe that the technology sanctioned by the FCC should be the output of the NDBC. We urge the Commission to consider fully the completed work of the NDBC before taking final action in this proceeding.

---

<sup>7</sup> EIA, and its Consumer Electronics Group (“CEG”), is the principal trade association of the consumer electronics industry. EIA/CEG members design, manufacture, import, distribute, and sell a wide variety of consumer electronics equipment, including television receivers and video cassette recorders.

**C. The Commission Should Allow Licensees to Begin Data Broadcasting Without Prior Approval.**

FCC endorsement of data broadcasting standards would allow broadcasters to install and operate a data broadcasting system without the necessity to get prior consent from the Commission. Thus, the Commission would not need to evaluate numerous separate applications for authorization to transmit digital ancillary services. We believe procedures such as those used for the installation of TV stereo could be used because the features of the data broadcasting technology, like those for TV stereo, would already be known to the Commission. This familiarity would eliminate the need for prior authorization. After installation of the data broadcasting system, a licensee would only be required to perform a "Proof of Performance" on its transmission system which would be kept on file at the station as evidence that the station complies with the terms of its authorization.

The Notice raises the issues of system compatibility, of adjacent channel interference and of how best to measure the amount of allowable degradation to the NTSC signal. The adoption of a technical standard would resolve these issues. By adopting the standards created by the NDBC, the Commission would eliminate the guess work ensuing from these issues as to whether the digital data technology a licensee uses meets both the Commission's and broadcast industry's requirements. Further, the adoption of such a standard would give manufacturers a significant comfort level that will spur investment in new products and services.

With regard to how the Commission's rules should reflect the adoption of a standard, NAB believes that the Commission has a great deal of latitude. NAB

would support a method similar to that used for BTSC MTS or for RBDS in radio, i.e., “protecting” particular standard(s). We believe that the Commission’s rules should be as flexible as possible to allow for growth and new uses of the data broadcasting technology. We do not believe the Commission should prescribe the uses for the technology or partition the adopted systems by use. Rather the Commission should only do what is necessary to ensure the integrity of the “pipe,” i.e., insure that the data delivery mechanism is protected. We urge the Commission then to allow stations to begin data broadcasting without prior authorization.

#### **V. USE OF LINE 22.**

In principle, the NAB opposes use of line 22 for signals other than those intended for visual information. Currently, however, the Commission does permit line 22 to be used for non-video purposes. To the extent that this is already allowed, we are not opposed to the Commission issuing regulations in regard to use of line 22. However, the Commission should not allow any further encroachment on the active video picture beyond line 22 by overscan type technologies.

In previous comments, NAB encouraged the industry and the Commission to establish hard limits that protect lines higher up in the active video picture from requests for non-video use.<sup>8</sup> If non-video use of lines 23, 24 and higher are sanctioned, visible picture degradation will eventually occur. Furthermore, if no

---

<sup>8</sup> See Comments of the NAB, FCC RM - 7567, filed February 14, 1991.

limits are set, such requests will likely ensue because manufacturers of competing systems would surely prefer being allocated their own line instead of sharing line 22. We discussed the possibility of such sharing arrangements in previously filed comments.<sup>9</sup> We still are of the opinion that the Commission should explore options we presented in regard to sharing of line 22 rather than allowing higher video lines to be used.

As discussed in the earlier NAB filing, the use of the visible video area is increasing.<sup>10</sup> This will eventually cause a conflict to arise with the ever increasing "extended VBI." It is of utmost concern to NAB that non-video uses may eventually impinge on the active video area, ultimately leading to visible picture degradation.

## **VI. CONCLUSION**

NAB urges the Commission to adopt standards for digital data transmissions. We further urge the Commission to consider the complete results of the NDBC before reaching a final decision on the setting of technical standards for digital data transmission.

We also believe that as long as the potential for regulatory liability exists, broadcast licensees must maintain control over their signal and have the ability to delete the data signal being transmitted. We urge the Commission to require that

---

<sup>9</sup> Id.

<sup>10</sup> See Comments of the NAB, FCC DA 89-1060, filed September 22, 1989.



any acceptable data insertion method give the broadcaster the option to not only delete the entire service, but to strip out or block the data as well.

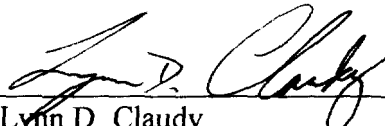
The NAB also remains fundamentally opposed to any further use of the active video area by overscan type technologies for any non-video use that replaces the video information. Thus, we strongly urge the Commission to guarantee that lines higher than line 22 remain available for non-degraded visual information. Because the Commission already permits broadcast licensees to use line 22 for non-video purposes, we are not opposed to the Commission writing into the rules language authorizing such use of this line. However, we take no position as to how the Commission should implement such a rule.

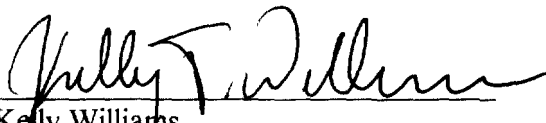
Respectfully submitted,

NATIONAL ASSOCIATION OF  
BROADCASTERS  
1771 N Street, N.W.  
Washington, D.C. 20036

Valerie Schulte  
Of Counsel

Christine J. Newcomb  
Legal Intern

  
Lynn D. Claudy  
Sr. Vice President, Science & Technology

  
Kelly Williams  
Director of Engineering

June 23, 1995